

WATER QUALITY UPDATE



Memorandum

Date: October 23, 1997

To: BDAC Members

From: Lester A. Snow, Executive Director
CALFED Bay-Delta Program

Subject: Update and Issue Discussion - Water Quality

This item provides a current status report on the CALFED Water Quality Program Component, summarizes developments since BDAC was last briefed on this subject at its January meeting, and highlights remaining water quality issues.

Through its Water Quality Technical Group (WQTG), composed of water quality stakeholders, water quality parameters of concern and potential water quality problems have been identified, water quality targets have been set for the parameters of concern, and Programmatic Actions have been developed to address the identified water quality problems. Currently, stakeholders are providing comments on our Draft Water Quality Program Component Report that was circulated in August. The Executive Summary of the draft report is attached, and the complete report can be provided to BDAC members who wish to have copies. Also at the present time CALFED agencies are providing comments on the internal draft of the water quality section of the Programmatic EIR/EIS.

The WQTG has been, and continues to be, an effective mechanism for enlisting a wide range of expertise in the effort to create a water quality improvement plan that is scientifically sound. At the present time, the mailing list for the WQTG consists of about 200 persons representing environmental, agricultural, municipal, industrial, and public interests; of these, about 40 regularly attend the WQTG meetings which are generally scheduled every other month.

CALFED water quality targets have generally been proposed based on existing criteria that have official standing, such as regulatory criteria, or where regulatory criteria do not exist, objectives based on impacts to beneficial uses as defined by recognized sources. This approach has been taken because of the necessity for CALFED not to assume functions that

CALFED Agencies

California The Resources Agency
 Department of Fish and Game
 Department of Water Resources
 California Environmental Protection Agency
 State Water Resources Control Board

Federal Environmental Protection Agency
 Department of the Interior
 Fish and Wildlife Service
 Bureau of Reclamation
 U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

are the proper jurisdiction of regulatory agencies and, instead, to rely on the regulatory entities and other authorities as appropriate to produce criteria for setting CALFED water quality targets. Statements of the identified Programmatic Actions are general in nature as is typical of programmatic environmental assessment documents.

The most significant difficulties we have encountered in developing this program component concern what target values to employ, and how to specify Programmatic Actions. There are a number of options for establishing water quality targets for the program. One of the controversies has been whether to set targets sufficiently high that, if the targets are attained, the water quality problem will be solved, irrespective of the feasibility of actually attaining these targets. Or, should the targets be set such as to be practically attainable, even though attainment might not necessarily eliminate the problem? In our thinking, the approach that should be used is dependent on how the targets will be used. This brings us to the other major difficulty.

Some technical advisors have indicated concern that CALFED may waste money by committing large scale resources in attempting to solve problems that may not be the highest priority, where available information may be inadequate to enable adequate understanding of the problem and its potential solutions, or that may not be feasible of correction. Such experts have generally advised additional study before Programmatic Actions are specified, and might tend to prefer weaker statements of the Programmatic Actions on the basis of the lack of necessary information to make a commitment.

Other participants have indicated concern with the general nature of the descriptions of water quality Programmatic Actions, in that the actions as stated do not unequivocally commit CALFED to taking the actions as described. Advisors with this perspective generally favor more specific and more binding statements of intent to take action.

We believe a successful approach will be to establish high water quality objectives, such that their attainment would be viewed as solutions to the problems. Regulatory criteria for environmental resources generally take this approach. The targets would be stated in such as way as to take account of the potential infeasibility of their full attainment in particular situations. Action statements would remain rather general and would not make irrevocable commitments to specific actions. Included with these elements of the program would be an implementation plan which, though not making commitments to specific corrective measures, would establish a protocol for addressing the problems, and this protocol would be binding on the CALFED process. This protocol would require evaluation of water quality problems and potential corrective measures, beginning with necessary research and monitoring, and progressing to such activities as bench scale and pilot scale implementations of potential corrective measures, followed by comprehensive evaluation to

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determine the feasibility of actually implementing the action. Large scale investments would, therefore, be made only when technical feasibility and a high probability of success is established, but would be required when these can be demonstrated.

This approach appears to be capable of satisfying the need to maintain flexibility of action in the absence of adequate technical knowledge, while at the same time committing CALFED to doing the necessary work to determine how to correct problems, then committing CALFED to taking appropriate actions.

CALFED staff will appreciate BDAC consideration of these issues and invite any suggestions for reaching a satisfactory resolution. Please provide your input to me at (916) 657-2666 or to Rick Woodard at (916) 653-5422.

Attachment